

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 IO-10 ISO-00 FEA-01 AGR-05 CEA-01

CIAE-00 COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05

L-03 LAB-04 NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15

STR-04 TAR-01 TRSE-00 USIA-06 PRS-01 SP-02 OMB-01

/103 R

DRAFTED BY EB/ITP/TA:RAMEYER:USDA:RSCHROETER:STMCP

APPROVED BY EB/ITP/TA:WGBARRACLOUGH

AGRIC:GWHITE (SUBSTANCE)

EUR/RPE:JMCCARTHY

STR:BCALDWELL

TREAS:COUELLETTE

COMM:VSAMMON

----- 063283

R 162331Z DEC 75

FM SECSTATE WASHDC

TO AMEMBASSY PARIS

INFO USMISSION EC BRUSSELS

USDEL MTN GENEVA

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E.O. 11652: N/A

TAGS: ETRD

SUBJECT: FRENCH RESTRICTIONS ON HORSEMEAT IMPORTS

REF: (A) PARIS 30547 (B) PARIS 29121

(C) PARIS 30136 (D) STATE 235982

1. EMBASSY IS REQUESTED TO APPROACH COLLIN AT DREE RE
HORSEMEAT PROBLEM, AND TO LEAVE WITH HIM A TALKING-POINTS
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PAPER ALONG THE FOLLOWING LINES:

-- THE GOF HAS IMPLEMENTED A RESTRICTIVE LICENSING SYSTEM APPLICABLE TO IMPORTS OF HORSEMEAT DESPITE THE FACT THAT THE CXT ON HORSEMEAT IS BOUND IN THE GATT (ITEM 02.01A(1) AT 8 PERCENT)

-- THE FRENCH RESTRICTIONS IMPAIR THE VALUE OF THIS GATT BINDING. IN OUR JUDGMENT, THE FRENCH ACTION IS ALSO CLEARLY IN VIOLATION OF ARTICLE XI OF THE GATT. MOREOVER, BECAUSE THESE RESTRICTIONS ARE DISCRIMINATORY, IN THAT THEY DO NOT APPLY EQUALLY TO LIKE PRODUCTS (I.E. HORSEMEAT AND LIVE HORSES DESTINED FOR SLAUGHTER), THEY MAY BE CONTRARY TO GATT ARTICLE XIII.

--US PRODUCERS OF HORSEMEAT HAVE MADE CONSIDERABLE INVESTMENTS IN RECENT YEARS IN ORDER TO MEET INCREASED DEMAND FROM FRENCH IMPORTERS. THE DISRUPTION OF THIS TRADE BROUGHT ABOUT BY THE FRENCH ACTIONS HAS ALREADY CAUSED FINANCIAL DIFFICULTY FOR THESE PRODUCERS, AND HAS DAMAGED THEIR CONFIDENCE IN AN OPEN FRENCH MARKET FOR THEIR PRODUCT. THESE ADVERSE AFFECTS WILL ALSO ACT TO THE DETRIMENT OF FRENCH CONSUMERS.

--WE RECOGNIZE THE INTEREST OF THE GOF IN MAINTAINING ACCEPTABLE PRICES FOR THEIR DOMESTIC PRODUCERS OF LIVE HORSES, BUT THE MEANS THEY HAVE CHOSEN TO KEEP THOSE PRICES AT A DESIRED LEVEL ARE NOT ACCEPTABLE.

--WE BELIEVE THE RELATIVELY SMALL DOMESTIC PRODUCTION OF HORSES FOR SLAUGHTER AND THE SEASONAL NATURE OF THE OVER-SUPPLY PROBLEM LEND THEMSELVES TO SOLUTIONS THAT DO NOT DISTORT OR RESTRICT INTERNATIONAL COMMERCE. WE HOPE THE GOF WILL BE ABLE TO FIND SUCH A SOLUTION BEFORE NEXT AUTUMN, WHICH WE UNDERSTAND IS THE CRITICAL SEASON.

2. WHEN DISCUSSING THIS MATTER WITH COLLIN, EMBASSY SHOULD INFORM HIM ORALLY THAT IF THE RESTRICTIONS ARE PROMPTLY REMOVED, WE ARE NOT DISPOSED AT THIS TIME TO PURSUE OUR RIGHTS UNDER THE GATT FOR COMPENSATION FOR DAMAGE ALREADY SUFFERED. HOWEVER, IF RESTRICTIONS WERE LIMITED OFFICIAL USE

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TO CONTINUE, OR BE RENEWED IN THE FUTURE, WE WOULD HAVE TO RECONSIDER OUR GATT PLANS.

3. FYI: LACHAUX PROPOSAL (PARA 6 REF A) IS NOT ACCEPTABLE. WE WILL NOT AGREE TO ANY ARRANGEMENT WHEREBY US EXPORTS WILL BE RESTRICTED OR DISCRIMINATED AGAINST. SINCE HORSEMEAT IS IN FACT A GATT-BOUND ITEM, WE MUST RESERVE OUR RIGHTS UNDER ARTICLE XXIII, AND PROBABLY

WOULD WISH TO TAKE ACTION UNDER THE GATT IF OUR TRADE IS
IMPAIRED OR DISCRIMINATED AGAINST AFTER JANUARY 1. THE
ONLY CONCESSION WE ARE PREPARED TO MAKE IS NOT TO TAKE
GATT ACTION RE TRADE DAMAGE SUFFERED THIS YEAR IF
RESTRICTIONS ARE PROMPTLY REMOVED AND ARE NOT REIMPOSED
IN THE FUTURE. WE THINK THE GOF AND TRADE CIRCLES IN
FRANCE SHOULD BE ABLE TO MAKE SATISFACTORY INTERNAL
ARRANGEMENTS TO MARKET FRENCH DOMESTIC PRODUCTION AT
A REASONABLE PRICE WITHOUT SIGNIFICANT IMPACT ON US
EXPORTS. POSSIBLE "TILT" TOWARD EE SUPPLIERS (REF D)
IS ANOTHER MATTER. WE WILL REACT VIGOROUSLY IF GOF
CONTINUES TO TAKE ACTION, OFFICIALLY OR UNOFFICIALLY, TO
DISCRIMINATE AGAINST US HORSEMEAT EXPORTS IN FAVOR OF
EAST EUROPEAN LIVE HORSES. END FYI.

4. MISSION EC BRUSSELS MAY WISH TO INFORM COMMISSION
OF THE SUBSTANCE OF THE US POSITION. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: IMPORTS, HORSES, MEATS, IMPORT CONTROLS
Control Number: n/a
Copy: SINGLE
Draft Date: 16 DEC 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE296534
Document Source: CORE
Document Unique ID: 00
Drafter: RAMEYER:USDA:RSCHROETER:STMCP
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750438-0194
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751238/aaaabhhz.tel
Line Count: 133
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 PARIS 30547, 75 PARIS 29121
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 23 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 APR 2003 by MartinML>; APPROVED <06 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: FRENCH RESTRICTIONS ON HORSEMEAT IMPORTS
TAGS: ETRD
To: PARIS
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006